IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

Bail Appl..No. 3924 of 2007(M)

CRIME NO. 371/07 OF KAYAMKULAM POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.3564/2007
CMP.6167/2007 of J.M.F.C., KAYAMKULAM

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PETITIONERS/ACCUSED 1 TO 3

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1. MANOJ, S/O GOPALAKRISHNAPANICKER,
VAMBALIL VEEDU, KMC 26, KRISHNAPURAM MURI,
KRISHNAPURAM VILLAGE.

2. ARUN, S/O RAMACHANDRAN, KARANGATTU
VEEDU, KMC 26, KRISHNAPURAM MURI,
KRISHNAPURAM VILLAGE.

3. SIYAD, S/O ABJULKAREEM, KATTIL VEEDU,
KMC 27, KRISHNAPURAM MURI, KRISHNAPURAM VILLAGE.

BY ADV. SRI.P.SREEKUMAR

RESPONDENTS: COMPLAINANT

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1. STATION HOUSE OFFICER, KAYAMKULAM
POLICE STATION, ALAPPUZHA DISTRICT.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3924 of 2007

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Dated this the 2nd day of July, 2007

O R D E R

Application for regular bail. The petitioners face allegations, inter alia, under the Arms Act. On 29.5.2007 near a temple, where a festival was going on, they were allegedly present armed with dangerous weapons. It is the apprehension of the police that they were present with the intention of committing offences. What offence and against whom did they intend to commit? No specific indications are available. Why should the petitioners, who have been in custody from 29.5.2007, be not granted bail even now? The only explanation is that the petitioners are involved in other crimes in other police stations. Which other crime and which other police station? There is no satisfactory explanation forthcoming. I am not satisfied that consideration of the bail application can or need be postponed any further to ascertain these facts. The petition has come before this court for hearing for the third time.

2. I am satisfied that this is a fit case where the petitioners can be enlarged on bail subject to appropriate conditions, which would allay the apprehensions of the Prosecutor.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) They shall execute bonds for Rs.75,000/- (Rupees seventy five thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) They shall make themselves available for interrogation before the Investigating Officer between 6 p.m. and 7.p.m. on all Mondays and Fridays for a period of three months from the date of their release from custody.

© The petitioners shall not leave the jurisdiction of Kayamkulam police station until further orders without the permission of the learned Magistrate.

(R. BASANT)
Judge

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